S.B. CIVIL WRIT PETITION NO. 2462/2004

Date : 06.11.2006

HON'BLE MR. BHAGWATI PRASAD,J.

Mr. C.P. Trivedi for the petitioner.
Mr. O.P. Boob for the State.
Mr. Rajendra Charan for the respondent.

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Heard .

The remedy of the petitioner is to file a civil suit against the respondent for recovery of the amount which has been recovered from him as guarantor. As regards the remaining amount, the respondent will first make the recovery by attaching the jeep and thereafter the assets of the respondent in his possession. If they fail to recover the entire amount by selling the assets of the loanee, then only the petitioner will be subjected to coercive actions. Until then, the respondents will stay their hands as far as the remaining part of the recovery from the petitioner is concerned.

The writ petition is disposed of.

(BHAGWATI PRASAD), J.

bjsh